

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DANIEL O'NEILL,

Plaintiff,

vs.

No. CIV 11-0858 JB/GBW

FORMER DICTATOR AND
WARDEN LAWRENCE JARAMILLO,
MANUEL PACHECO, WARDEN,
DWAYNE SANTISTEVAN, DEPUTY WARDEN,
MICHAEL GATTI, UNIT MANAGER,

Defendants.

ORDER DENYING MOTION TO APPOINT COUNSEL

This matter comes before the Court on Plaintiff's Motion to Appoint Counsel.

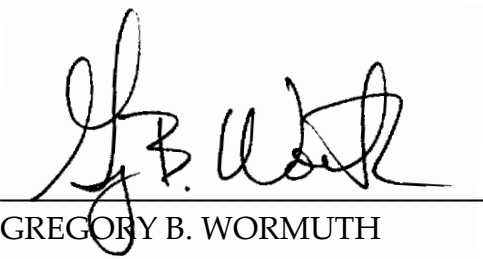
Doc. 17. Plaintiff has twice previously filed motions for the Court to appoint counsel in this case. *Docs. 3, 5.* Since the filing of the instant motion, the Court has denied Plaintiff's first two motions for the Court to appoint counsel (*Doc. 20*), and the Court will now deny his third motion on the same grounds.

Previously, the Court denied Plaintiff's motion's for appointment of counsel on the grounds that Plaintiff "understands the issues in the case and appears to be representing himself in an intelligent and capable manner," that Plaintiff's "Complaint and motions indicate that he has the capacity to present his claims to the Court in sufficiently cogent manner despite his lack of legal training," that "[t]he nature of the

factual issues and the complexity of the legal issues . . . [in the case] are not ones that would require expert testimony or expert assistance,” and that Plaintiff “does not appear to face any abnormal barriers beyond his incarceration that would prevent him from prosecuting this lawsuit.” *Doc. 20* at 2. The Court will deny Plaintiff’s third motion for appointment of counsel for the same reasons, and under the same analysis and law as the Court denied his first two motions for appointment of counsel.

WHEREFORE, Plaintiff’s Motion to Appoint Counsel, *doc. 17*, is hereby DENIED.

IT IS SO ORDERED.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE